

STATE OF ALABAMA

Information Technology Standard

Standard 1210-00S1_Rev A: Online Privacy and Data Collection

1. INTRODUCTION:

Web sites may request and retain information from visitors for the purpose of assisting the Web user in their interaction with the government (such as completing on-line transactions), but online privacy concerns are raised when using web technologies that track the activities of users over time and across different web sites. These concerns may be alleviated when individuals who come to a government web site are provided clear and conspicuous notice of any such tracking activities and the privacy policies of the site owner.

2. OBJECTIVE:

Define online privacy policy and data collection requirements for State of Alabama websites.

3. SCOPE:

These requirements apply to all Executive Branch agencies, boards and commissions except those exempt under the Code of Alabama (Title 41, Chapter 4, Article 11). Specifically, these requirements apply to the use of the primary alabama.gov or secondary state.al.us domain names.

4. REQUIREMENTS:

State of Alabama web sites shall adhere to the following online privacy and data collection requirements.

4.1 PRIVACY STATEMENT

State agencies operating publicly-accessible web sites, or contractors operating such sites on behalf of an agency, must clearly and conspicuously post privacy policies at their principal web sites, at known major entry points to the sites, and at those sites where the agency or the contractor collects substantial personal information from the public.

- The privacy statement shall have the same format on all web sites.
- A link to the privacy statement is mandatory on the state agency home page and other primary entry points of the agency web site.
- A generic e-mail link shall be made available and the e-mail shall be directed to someone in the agency that can speak to the validity of the online privacy statement and direct questions pertaining to other agency privacy policies.

4.2 DATA COLLECTION

Web data collection technology, such as "cookies," used to identify and track the activities of web users shall not be used on State web sites, or by contractors when operating web sites on behalf of State agencies, unless all of the following conditions are met:

- The site gives clear and conspicuous notice;
- There is a compelling need to gather the data on the site;
- Appropriate and publicly disclosed privacy safeguards exist for handling any information derived from the cookies; and
- The agency head gives personal approval for the use.

Furthermore, it is Federal policy that agencies and contractors who operate web sites directed at children must comply with the standards set forth in the Children's Online Privacy Protection Act of 1998 with respect to the collection of personal information online.

4.2.1 Acceptable Use of Cookies

Alabama.gov and State agency websites may occasionally use cookies or other web technology to collect or store non-user identifying information subject to the following limitations:

- Persistent cookies (i.e., those that can be used to track users over time and across different web sites) shall not be used. Use only session cookies which are erased when the user's browser session ends.
- Cookies shall not be used or enabled on any State or agency homepage or point of first contact. Website visitors must be given the opportunity to review the website privacy statement before being offered a cookie. The privacy statement must be clearly labeled and easily accessed when someone visits a web site.

The privacy statement (as required by section 4.1 above) shall clearly state that cookies will not be used to collect user-identifying information (unless by exception to the privacy policy and all of the above requirements have been met).

Agencies must take care to ensure full adherence with stated privacy policies.

4.2.2 Transmitting Cookies

If a cookie is marked secure, it shall only be transmitted if the communications channel with the host is secure (e.g., when using SSL).

Cookies shall be transmitted via secure channel when:

- Data or systems associated with State websites or web applications are categorized as sensitive or confidential.
- Containing any sensitive, user-identifying, authentication (e.g., user name or password), or state-preservation information.
- Providing access to privileged functionality such as remote site administration.

If secure is not specified, a cookie is considered safe to be sent in the clear over unsecured channels.

5. ADDITIONAL INFORMATION:

5.1 POLICY

Information Technology Policy 1210-00: Web Development

http://isd.alabama.gov/policy/Policy_1210-00_Web_Development.pdf

5.2 RELATED DOCUMENTS

Information Technology Dictionary

http://isd.alabama.gov/policy/IT_Dictionary.pdf

By Authority of the Office of IT Planning, Standards, and Compliance

6. DOCUMENT HISTORY:

| Version | Release Date | Comments |
|----------------|---------------------|---|
| Original | 09/27/2006 | |
| Rev A | 7/21/2008 | Revised title and added requirements for data collection (Section 4.2). |
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